

[NOT FOR PUBLICATION-NOT TO BE CITED AS PRECEDENT]

United States Court of Appeals For the First Circuit

No. 99-2074

JOSEPH J. FIUMARA,
Plaintiff, Appellant,

v.

MARY C. MARSHALL (formerly Mary C. Fiumara);
ROBERT TOWLER; ALAN ROACH,
MICHAEL C. MCCARTHY,

Defendants, Appellees.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW HAMPSHIRE

[Hon. Paul J. Barbadoro, U.S. District Judge]
[Hon. James R. Muirhead, U.S. Magistrate Judge]

Before

Selya, Circuit Judge,
Campbell, Senior Circuit Judge,
and Boudin, Circuit Judge.

Joseph J. Fiumara on brief pro se.

Joseph K. Bosen and Watson & Bosen, P.A. on Memorandum of
Law in Support of Motion for Summary Affirmance for appellee
Mary C. Marshall.

William G. Scott and Boynton, Waldron, Doleac, Woodman &
Scott, P.A. on brief for appellees Robert Towler and Alan Roach.

Peter G. Beeson, John P. Sherman and Devin, Millimet &
Branch on brief for appellee Michael C. McCarthy.

SEPTEMBER 28, 2000

Per Curiam. Plaintiff appeals from a judgment dismissing his claims against one of the defendants for failure to state a claim, and, following discovery, entering summary judgment in favor of the other defendants. Plaintiff's brief does not contain sufficiently developed argumentation in support of his claims of legal error, so we deem the issues waived. Upon de novo review of the judgment in light of the arguments on appeal which we understand, and in light of the appendix materials, we see no error. The court followed the correct procedure by liberally construing plaintiff's pro se pleadings and indulging all reasonable inferences in his favor. We glimpse no genuine issue of material fact which required further proceedings. We see no error in the denial of plaintiff's motions for additional discovery nor in the denial of his several motions seeking to re-join as a party the defendant dismissed from the case for a failure to state a claim.¹

Affirmed.

¹We note, moreover, that even if Attorney McCarthy had been rejoined he, like the other defendants, would have been entitled to summary judgment.